

Remarks

Claims 1-15 are pending in the application. Claims 1, 3, 6, 7, 10 and 14 are presently amended, claims 2, 4, 5, 12, 13 and 15 are cancelled without prejudice or disclaimer, and new claim 16 is added. Reconsideration and allowance of the application are respectfully requested.

The non-final Office Action dated October 23, 2007 lists the following objections and rejections: the drawings stand objected to for not showing the single pad openings for the pairs of ground pads as recited in claim 8; claims 4, 7 and 13 are objected to due to informalities; claim 9 stands rejected under 35 U.S.C. § 112, first paragraph; claims 1-3 and 10-11 stand rejected under 35 U.S.C. § 102(b) over Ivanov *et al.* (U.S. Patent No. 6,194,739); claims 4-7 and 12-15 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ivanov; and claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ivanov in view of Takamori (U.S. Patent No. 6,008,542). Applicant traverses these rejections and objections.

Applicant disagrees that any changes in the drawings are required to show the claim 8 (and new claim 16) recitation of a common single pad opening for each of the pairs of ground pads (G1a, G2a) and (G1b, G2b). Without acquiescing, however, Applicant provides herewith a replacement drawing sheet that adds dashed rectangles (20) to indicate the recited openings described in the specification, along with an amendment to the specification to add the reference numeral (20). Applicant submits that the drawing changes are fully supported by the originally-filed specification, as evidenced by the fact that only a reference numeral was added to the specification. Withdrawal of the objection to the drawing is requested.

Applicant further notes that the drawings and specification have also been amended to correct typographical errors (signal pads now labeled correctly as S1 and S2 in FIG. 2, and an erroneous reference to FIG. 1 in the specification has been changed to correctly refer to FIG. 2).

With regard to the objections to claims 4, 7 and 13 due to informalities, Applicant submits that the amendments to claim 7 and the cancellation of claims 4 and 13 render the objections moot.

Applicant disagrees with the rejection of claim 9 under 35 U.S.C. § 112, first paragraph, as not being enabled. As best understood by Applicant, the rejection is predicated on the argument that a pad pitch of 100 um and a probe pitch of 200 um would result in one of the probes not contacting one of the pads. This argument misinterprets the present application. It is clear from Applicant's description that the pad pitch refers to the distance between adjacent pads and the probe pitch refers to the distance between adjacent probes of a given port. As can be seen in FIG. 2, the six pads are equally spaced, and each set of probes is equally spaced at a distance that is twice the pad spacing. For example, considering a pad spacing of 100 um, FIG. 2 would indicate a probe spacing of 200 um just as Applicant's claims recite. Applicant therefore submits that the § 112, first paragraph, rejection of claim 9 is baseless, and requests reconsideration and withdrawal of the rejection.

Regarding the § 102(b) rejection of claims 1-3 and 10-11 over Ivanov, Applicant submits without acquiescence that the present amendment renders this rejection moot. Both independent claims, claims 1 and 10, have been amended to incorporate recitations from dependent claims that are the subject of obviousness rejections, and thus are addressed in the following discussion.

Applicant disagrees with the § 103(a) rejection of claims 4-7 and 12-15 in view of Ivanov because Ivanov does not teach or suggest the claimed alternating pad configuration. While this deficiency is acknowledged in the Office Action, it is argued that rearranging pad positions is an obvious design choice that would not alter the operation of the device. Applicant disagrees, and submits that the proposed modification of Ivanov is not a simple matter of design choice, but would necessitate reconfiguration of the ports in the device of Ivanov in a manner contrary to the disclosed teachings. Ivanov teaches that the pads G1, S1, G2 are arranged as one port, that the pads G3, S2, G4 are arranged as the other port, that the ports are side-by-side, and that the DUT is located between the two ports. *See, e.g.*, Ivanov Col. 7:23-26 and Fig. 6. In the claimed configuration, the sets of pads are alternated so that probe positions of the ports are interleaved and the signal pads are adjacent. Ivanov further teaches connections between the ports that are designed to maintain desired uniform characteristic impedance, for example a waveguide strip connecting signal pads S₁ and S₂. *See, e.g.*, Ivanov Col. 8:23-

45 and Col. 9:19-37, along with FIG. 6. Reconfiguring the ports would change the impedance characteristics, thereby undermining a purpose of the configuration taught by Ivanov. *See* MPEP § 2143.01, *In re Gordon*, 733 F.2d 900, 221 U.S.P.Q. 1125 (Fed. Cir. 1984) (A §103 rejection cannot be maintained when the asserted modification undermines purpose of main reference.)

Applicant therefore submits that the § 103(a) rejection of claims 4-7 and 12-15 in view of Ivanov cannot be maintained, and requests reconsideration and withdrawal of the rejection.

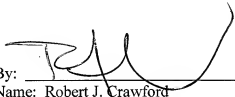
Applicant disagrees with the § 103(a) rejection of claims 8 and 9 over Ivanov in view of Takamori. Takamori appears to have no teaching that would overcome the deficiencies of the Ivanov reference as noted above. Moreover, the proposed combination would still require a modification involving the rearranging of Ivanov's pad configuration. As discussed above, such a modification would undermine the purposeful impedance balance achieved by Ivanov's configuration. Applicant therefore requests reconsideration and withdrawal of the § 103(a) rejection of claims 8 and 9 over Ivanov in view of Takamori.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

Please direct all correspondence to:

Corporate Patent Counsel
NXP Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131

CUSTOMER NO. 65913

By: 
Name: Robert J. Crawford
Reg. No.: 32,122
651-686-6633
(NXPS.391PA)